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MASSACHUSETTS ONLY

November 22, 1996

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Room 222  
Washington, DC 20554

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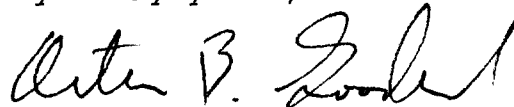
Re: MM Docket No. 87-268

Dear Mr. Caton:

Transmitted herewith, on behalf of The New York Times Company, are an original and nine copies of its "Separate Comments of The New York Times Company" filed in response to the Commission's Sixth Notice of Rulemaking in the above-referenced matter.

In the event there are any questions concerning this matter, please contact the undersigned.

Very truly yours,



Arthur B. Goodkind

Enclosure

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Before the  
Federal Communications Commission  
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In the Matter of )  
 )  
Advanced Television Systems )  
and Their Impact Upon the ) MM Docket No. 87-268  
Existing Television Broadcast )  
Service )

TO: The Commission

SEPARATE COMMENTS OF THE NEW YORK TIMES COMPANY

The New York Times Company ("NYT"), by its attorneys, hereby files its separate comments in the above-captioned proceeding. NYT is the licensee of eight television stations located in various communities in the eastern and midwestern portions of the country. NYT is one of the many signatories to the Comments being filed today by the Broadcasters Caucus and many other television broadcast licensees (collectively, "Broadcasters") with respect to the Sixth Notice of Proposed Rule Making concerning advanced television.

NYT concurs fully with the general principles advocated in that filing, and specifically with the concepts (a) of a

transitional table of DTV allotments paired with existing station channel assignments and (b) of the full use of all presently utilized VHF and UHF channels in making DTV allotments for the transitional period.

NYT cannot, however, concur at this time with all the specific channel allotments recommended in the "Modified DTV Table" submitted with the Broadcasters comments. In the case of paired allotments for at least two of its stations, NYT believes that it may be possible to substitute different channels that will permit the stations to provide a more efficient service at lower cost than would be the case with respect to the channels proposed in the Broadcasters Modified Table and the FCC's proposed table. These two cases are as follows:

(1) Both the FCC and Broadcasters allotment tables propose Channel 57 as the transitional channel for Station WHNT-TV, Huntsville, Alabama, which presently operates on Channel 19. Channel 57 is 23 or more channels higher in frequency than the FCC's proposed DTV allotment for any other station in the Huntsville-Decatur-Florence television market. Channel 57 is also outside the "core" channels identified in the Commission's

rulemaking notice, and would thus require a shift of WHNT-TV's digital operation back to Channel 19 or to some other channel after the transition is over. NYT's engineering consultant is presently investigating the availability of a different channel that could be substituted for Channel 57 as the DTV allotment to be paired with WHNT-TV.

(2) Both the FCC's proposed table of DTV allotments and the Broadcasters Modified Table include Channel 46 at Fort Smith, Arkansas, as a transitional DTV channel to be paired with NYT station KFSM-TV, which presently operates on Channel 5. Channel 46 would be the highest frequency DTV channel assigned in the Fort Smith market and would likely remain as KFSM-TV's post-transition channel since its existing frequency, Channel 5, is outside the core group identified in the Commission's Notice. NYT's engineering consultant has reached a preliminary determination that it may be possible for KFSM-TV to serve the Fort Smith market more efficiently and with less transition expense if Channel 10 is substituted for Channel 46 as the DTV transition channel paired with KFSM-TV. NYT accordingly requests that this channel substitution be made.

NYT intends to undertake further engineering studies with respect to DTV channels in the two markets noted above as well as other NYT markets and to pursue coordination through the Broadcasters Caucus of the proposed Channel 10 substitution in Fort Smith noted above as well as any other substitute channels NYT identifies in other markets in which NYT operates television stations. Should such further studies and the coordination process confirm that channel substitutions in addition to the substitution of Channel 10 in Fort Smith would result in better service to the public, NYT will file requests for further modification of the DTV table through appropriate rulemaking proceedings.

Respectfully submitted,

THE NEW YORK TIMES COMPANY

By:   
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